**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3027**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. M.M. Smith, Guest and Kirby

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Prefiled in the House on December 5, 2024

Currently residing in the House Committee on **Judiciary**

Summary: Vulnerable Adults

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/5/2024 House Prefiled

 12/5/2024 House Referred to Committee on **Judiciary**

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**VERSIONS OF THIS BILL**

[12/05/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3027_20241205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 43‑35‑25, RELATING TO MANDATED REPORTERS OF VULNERABLE ADULT MALTREATMENT, SO AS TO EXEMPT FROM THE REQUIREMENT TO REPORT THE LONG‑TERM CARE OMBUDSMAN PROGRAM AND ITS REPRESENTATIVES IN ACCORDANCE WITH FEDERAL LAW.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 43‑35‑25(A) of the S.C. Code is amended to read:

 (A) A physician, nurse, dentist, optometrist, medical examiner, coroner, other medical, mental health or allied health professional, Christian Science practitioner, religious healer, school teacher, counselor, psychologist, mental health or intellectual disability specialist, social or public assistance worker, caregiver, staff or volunteer of an adult day care center or of a facility, or law enforcement officer having reason to believe that a vulnerable adult has been or is likely to be abused, neglected, or exploited shall report the incident in accordance with this section. Any other person who has actual knowledge that a vulnerable adult has been abused, neglected, or exploited shall report the incident in accordance with this section. Notwithstanding the provisions of this section, the Long‑Term Care Ombudsman Program and its representatives shall be exempt from reporting suspected abuse, neglect, or exploitation where such reporting would violate the federal requirement that the Long‑Term Care Ombudsman Program is prohibited from disclosing the identity of the complainant or resident without appropriate consent or court order, except as otherwise provided in 42 U.S.C. Section 3058d and 45 C.F.R. 1324.19(b)(3) through (9). Where the ombudsman or a representative of the office personally witnesses abuse, neglect, or exploitation of a resident, the ombudsman or a representative of the office shall seek communication of informed consent from the resident to disclose resident‑identifying information in accordance with the procedures outlined in 45 C.F.R. 1324.19(b)(8).

SECTION 2. This act takes effect upon approval by the Governor.

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